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January 17, 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Amendment of Section 73.202(b),
FM Table of Allotments
Rose Hill, Trenton, Aurora, and Ocracoke, NC
MM Docket No. 95-88

Dear Mr. Caton:

Transmitted herewith on behalf of Conner Media Corporation, the licensee of WBSY(FM), Rose Hill, North Carolina, is the original plus four copies of its Petition For Reconsideration in the above-referenced proceeding.

This submission is respectfully directed to the Chief, Allocations Branch, Policy and Rules Division.

Please direct any questions or correspondence in connection with this matter directly to this office.

Very truly yours,

Ellen S. Mandell
Ellen S. Mandell

Enclosure

cc (w/encl.): Gary S. Smithwick, Esquire

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JAN 17 1997

FEDERAL
COMMUNICATIONS
COMMISSION
OFFICE OF SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	MM Docket No. 95-88
)	
Amendment of Section 73.202(b),)	RM-8641
Table of Allotments,)	RM-8688
FM Broadcast Stations)	RM-8689
(Rose Hill, Trenton, Aurora,)	
and Ocracoke, North Carolina))	
To: Chief, Allocations Branch		
Policy and Rules Division		

PETITION FOR RECONSIDERATION

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January 17, 1997

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SUMMARY

Conner Media Corporation ("CMC"), the licensee of WBSY(FM), Rose Hill, North Carolina, seeks reconsideration of action by the Chief, Allocations Branch, of the Commission's Mass Media Bureau ("Bureau"), by Report and Order in MM Docket No. 95-88, which allotted Channel 283A to Aurora, North Carolina, and denied the conflicting proposal to allot Channel 284C2 at Trenton, North Carolina.

The Bureau erred in not allotting Channel 221A in lieu of Channel 283A to Aurora to resolve the conflict between the two proposals, so allotments could be made to both communities. The outstanding construction permit for modifications to WRSV(FM), Channel 221A, Rocky Mount, North Carolina, does not preclude allotment of Channel 221A to Aurora. Channel 221A can be allotted to Aurora consistent with all spacing and coverage requirements if a site restriction is imposed to protect the WRSV permit.

The as yet unimplemented permit for one-step upgrade of unbuilt station WAHL to Channel 224C1 is technically defective for failure to place a 70 dBu signal over its license community of Ocracoke from either its proposed transmitter site or the allotment reference coordinates. More problematically, it appears that WAHL-permittee Ocracoke Broadcasters' certification of reasonable assurance of the availability of the antenna site specified in WAHL's one-step application was based on material mistakes of fact which, based on recently discovered circumstanc-

es, may rise to the level of misrepresentation. In a declaration under penalty of perjury, the owner of the site specified in WAHL's one-step application states that he has not given permission to anyone to place a radio transmission tower on the property, and no one has even talked to him about placing a tower on the property. The realtor identified in the site certification has stated that she was not successful in finding a site for WAHL. The WAHL permit is scheduled to expire less than a month from now. Case precedent holds that if WAHL did not have reasonable assurance of the availability of its antenna site at the time of filing the underlying one-step application, an extension of the permit to change site would not be warranted.

In the event an alternative allotment is not made to Aurora, the Trenton allotment should be preferred on a comparative basis. The proposed Trenton allotment will make the most efficient use of the spectrum.

Accordingly, CMC's Petition For Reconsideration should be granted.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	MM Docket No. 95-88
)	
Amendment of Section 73.202(b),)	RM-8641
Table of Allotments,)	RM-8688
FM Broadcast Stations)	RM-8689
(Rose Hill, Trenton, Aurora,)	
and Ocracoke, North Carolina))	
To: Chief, Allocations Branch		
Policy and Rules Division		

PETITION FOR RECONSIDERATION

Conner Media Corporation ("CMC"), the licensee of WBSY(FM), Rose Hill, North Carolina, by its attorneys and pursuant to Section 1.429 of the Commission's rules, hereby seeks reconsideration of action by the Chief, Allocations Branch, Policy and Rules Division, of the Commission's Mass Media Bureau ("Bureau"), by Report and Order (Rose Hill, Trenton, Aurora, and Ocracoke, North Carolina) ("R&O"), MM Docket No. 95-88, 61 Fed Reg. 66618, published December 18, 1996^{1/}, which allotted Channel 283A to Aurora, North Carolina, and denied the conflicting proposal to allot Channel 284C2 to Trenton, North Carolina.

In support hereof, the following is respectfully shown:

^{1/}This petition for reconsideration is filed within 30 days of the date of public notice of action as defined in Section 1.4(b) of the Commission's rules. Accordingly, this petition is timely filed.

I. Background

1. This proceeding was initiated on April 26, 1995, by the Petition For Rule Making and Request for Modification of Station License ("Petition") filed by Duplin County Broadcasters ("DCB"), then-licensee of FM station WBSY, Channel 284A, Rose Hill, North Carolina. On August 1, 1996, DCB assigned the WBSY license to CMC pursuant to FCC consent under File No. BALH-960412GR. For purposes of clarity, the proponent of the Trenton proposal will hereinafter be referred to as "CMC".

2. CMC's Petition requested reallocation of Channel 284A from Rose Hill to Trenton, North Carolina, an upgrading of the allotment to Class C2, and modification of the WBSY license accordingly. Responsive submissions were made, including a counterproposal by Aurora Broadcasters ("AB") for Channel 283A at Aurora, North Carolina, interposed on August 10, 1995.

3. In its timely reply to AB's counterproposal, CMC showed that the conflict between the Trenton and Aurora proposals could be resolved, and allotments could be made to both communities, by allotting Channel 221A to Aurora in lieu of Channel 283. Reply of Duplin County Broadcasters To Counterproposal, filed September 5, 1995 ("Reply"). AB opposed the alternative allotment after the close of the formal pleading cycle, and additional supernumerary pleadings were filed.

4. By the R&O, the Bureau agreed with CMC to the extent of finding (1) that Trenton is a community for allotment purposes (R&O, para.19); and (2) that there is no basis to attribute to Trenton, which is not in an urbanized area, all of the services licensed within the Jacksonville Urbanized Area, or services licensed to New Bern, Kinston or Havelock (R&O, para.21). However, the Bureau allotted Channel 283A to Aurora rather than Channel 284C2 to Trenton, based on Aurora's greater population of 654 persons as compared to Trenton's population of 284 persons in the 1990 U.S. Census (R&O, para.22). The Bureau rejected the alternate channel proposal for Aurora, finding that Channel 221A at Aurora was blocked by the outstanding construction permit of WRSV(FM), Channel 221A, Rocky Mount, North Carolina (File No. BPH-951002IB), and the now authorized but as yet unimplemented one-step upgrade of still unbuilt station WAHL, Channel 225A, Ocracoke, North Carolina to Channel 224C1 (File No. BMPH-950728IC) (R&O, para.17). The Bureau further stated that none of the supernumerary pleadings were accepted for consideration, as none provided information of "decisional significance." R&O, n.5.

II. The Bureau Erred In Rejecting The Alternative Channel Allotment For Aurora.

5. It is a well-established policy of the Commission, when faced with mutually exclusive allotment proposals, to

endeavor to locate alternate channels available for allotment in order to accommodate the conflicting proposals. See e.g. Willcox, Arizona and Lordsburg, New Mexico, MM Docket No. 95-50, DA 96-2134 (Chief, Alloc. Br.; released December 27, 1996); Rapid City and Lead, South Dakota, 10 FCC Rcd 7715 (Chief, Alloc. Br., 1995). In furtherance of that policy, CMC identified Channel 221A as an alternative allotment for Aurora, in order to resolve the conflict between the proposals for Channel 283A at Aurora and Channel 284C2 in a manner that would permit allotments to both communities. CMC respectfully submits that the Bureau's finding that Channel 221A is not available for allotment to Aurora is in error.

A. The Permit To Modify WRSV(FM), Rocky Mount, Does Not Preclude Allotment Of Channel 221A To Aurora.

6. At the outset, CMC wishes to note that the outstanding construction permit for changes to WRSV(FM) (File No. BPH-951002IB) was apparently granted in error. As noted above, CMC timely proposed the Channel 221A alternative allotment for Aurora on September 5, 1995. The WRSV application was not filed until October 2, 1995 -- several weeks later. However, WRSV failed to accord the earlier-filed CMC proposal the protection which is required by Conflicts Between Applications And Petitions For Rule Making To Amend The FM Table Of Allotments ("Conflicts"), 8 FCC Rcd 4743, 4746 (1995) (petition to amend FM Table of Allotments is protected

from later-filed FM applications at the close of the period for filing counterproposals). Under the circumstances, the WRSV application should have been dismissed as defective.

7. In any event, Channel 221A can be allotted to Aurora consistent with the WRSV permit. Exhibit 1 hereto demonstrates that from the reference coordinates 35° 16' 27" North Latitude, 76° 39' 39" West Longitude, Channel 221A can be allotted to Aurora in accordance with all spacing and coverage requirements. Figure 5 shows a large area for location of the Channel 221A, Aurora, facility, notwithstanding the proposed site restriction. Allocation of Channel 221A to Aurora with a site restriction is consistent with the procedure established in Conflicts, supra at 4745, n.12 (adopting procedure to resolve conflicts between a rule making petition and a later-filed FM application by imposing a site restriction on the allotment proposed in the petition).

B. The Permit To Upgrade Unbuilt Station WAHL, Ocracoke, Is Technically Deficient, Based On Material Mistakes Of Fact Which May Be Misrepresentations, Scheduled To Expire Within Thirty Days, and Non-extendable.

8. The Bureau stated in the R&Q that no pleadings submitted after the close of the formal pleading cycle were accepted for consideration, as none were found to provide information of "decisional significance." However, the entire

matter of WAHL's one-step upgrade application^{2/}, which the Bureau has put forth as a basis of its determination that Channel 221A cannot be allotted at Aurora, was initially raised by AB after the close of the formal pleading cycle, and was a primary focus of the supernumerary pleadings.

9. Specifically, evidence of the existence of the then-pending WAHL application was only first proffered in AB's supernumerary pleading of September 20, 1996, entitled Response To Reply Of Duplin County Broadcasters To Counterproposal ("Response to Reply"). CMC's October 5, 1995 answer, entitled Opposition To Motion To Accept Responsive Pleading, demonstrated patent technical defects in WAHL's application, including failure to place the required 70 dBu signal over the proposed license community of Ocracoke from the proposed antenna site, and failure to place the required 70 dBu signal over Ocracoke from the proposed reference coordinates for the Class C1 allotment. CMC also noted that at Sec. V-B, Item 11, that the applicant, WAHL-permittee Ocracoke Broadcasters ("OB"), misstated that its proposal was in compliance with the minimum principal-city coverage requirements.

10. By letter dated October 18, 1995 (Ref. 1800B3-DJF), the Bureau advised WAHL that its one-step application could not be processed unless those and other deficiencies were

^{2/}The one-step upgrade application was granted on August 12, 1996.

corrected. Although the Bureau warned that failure to correct all tender and acceptance defects within 30 days -- that is, by November 17, 1995 -- would result in dismissal of the application with no further opportunity for corrective amendment, WAHL did not amend its application until five months later, in March 1996.

11. The Engineering Statement at Exhibit 1 hereto demonstrates that WAHL never resolved the coverage deficiencies in its one-step application. WAHL's Class C1 facility will not provide the requisite 70 dBu signal over its license community of Ocracoke from its proposed transmitter site. Therefore, WAHL's proposal fails to comply with the minimum principal-city coverage requirements of Rule Section 73.315^{3/}. Nor can 70 dBu coverage of Ocracoke be achieved from WAHL's proposed allotment reference site^{4/}. Thus, the allotment underlying WAHL's permit

^{3/}Rule Section 73.315 requires selection of a transmitter site from which a 70 dBu signal can be placed over the entire principal community.

^{4/}OB erroneously calculated the height above average terrain of the proposed Channel 224C1 facility at 300 meters, which exceeds the maximum height of 299 meters for a C1 station, see Rule Section 73.211(b), thus exaggerating the predicted coverage.

In addition, OB inappropriately relied on Bayshore, New York, 57 RR 2d 1275 (Chief, Policy & Rules, 1985), recon. denied 59 RR 2d 1652 (Chief, Policy & Rules, 1986), rev. denied 2 FCC Rcd 1293 (1987), as a basis to demonstrate principal-city coverage using a propagation methodology other than that set forth in the Commission's rules. The Bayshore, New York decision was expressly based on the "unique and meritorious" circumstances presented in that case, and was expressly not intended to

(continued...)

is sub-standard. See e.g. Ocracoke, Edenton, Columbia, Pine Knoll Shores, North Carolina, 9 FCC Rcd 2011 (Acting Chief, Alloc. Br. 1994) (rejecting OB's earlier, formal rule making proposal to substitute Channel 224C1 for Channel 225A at Ocracoke to upgrade WAHL, where it was concluded that a 70 dBu signal would not cover Ocracoke from OB's proposed transmitter site).

12. More problematically, it appears that OB's certification of reasonable assurance of the availability of the antenna site specified in WAHL's one-step application was based on material mistakes of fact which, based on recently

^{4/}(...continued)
derogate the Commission's standard method for predicting the coverage of proposed allotments. 2 FCC Rcd at 1295. Bayshore involved a "first local service" proposal, where there was no other available use for the channel, and where the sole available site was a Lighthouse on National Park Service property which the allotment's proponent committed to restore and preserve. WAHL has proposed an upgrade rather than new service, and there is at least one proposal, CMC's, that could be implemented in conformity with the Commission's rules. It is well-established that it is not in the public interest to prefer a defective upgrade over a competing upgrade that complies with all technical requirements. Caldwell, College Station and Gause, Texas, 11 FCC Rcd 5326 (Chief, Policy & Rules, 1996).

On the rare occasion that the Commission has accepted alternative propagation showings in allotment proceedings since Bayshore, the proponent has been required to satisfy a strict site availability test under Woodstock and Broadway, Virginia, 3 FCC Rcd 6396 (1988). See also Caldwell, College Station and Gause, Texas, supra at 5327. Cf. Harrisburg and Albemarle, North Carolina, 11 FCC Rcd 2511, 2515, n.17 (Chief, Policy & Rules, 1996). As will be further discussed below, WAHL has never had reasonable assurance of the availability of the tower site specified in its one-step application, notwithstanding its certification of site availability in its one-step application.

discovered circumstances, may rise to the level of misrepresentation. If a site misrepresentation was made, serious questions are raised as to OB's propensity for truthfulness in dealing with the Commission. See generally Policy Regarding Character Qualifications In Broadcast Licensing, 102 FCC 2d 1179, 1211 (1986) ("The integrity of the Commission's processes cannot be maintained without honest dealing with the Commission by Licensees.") Case precedent is replete with instances where site misrepresentations explored at hearing have led to a finding of disqualification to be a Commission licensee. See e.g. Magdelene Gunden Partnership, 2 FCC Rcd 5513, 5513-4 (Rev. Bd., 1987), recon. denied 3 FCC Rcd 488, rev. denied 3 FCC Rcd 7186 (1988).

13. In the Form 301 proposing the one-step upgrade of WAHL, at Section V-B, Item 2, OB described the transmitter site location as "just west of U.S. Highway 70, 2.0 kilometers north of Stacy in Carteret County, North Carolina," at the geographical coordinates 34° 51' 57" North Latitude; 76° 25' 03" West Longitude. At Section VII of the application, OB certified to the Commission that it had obtained reasonable assurance of the availability of the specified site from Ms. Penny Smith of Eastern Gateway Realty. In its March 1996 amendment to the application, OB stated that both the allotment site and the transmitter site are on property owned by a Mr.

Clyde Davis, and that Mr. Davis had given OB approval for construction of the radio tower on his property.

14. Exhibit 2 hereto is a declaration under penalty of perjury, executed by Mr. Rio Hill, dated January 9, 1997. Mr. Hill states that he is the owner of the property located at the geographical coordinates 34° 51' 57" North Latitude; 76° 25' 03" West Longitude, and that the property has been in his family for many years. For purposes of clarity, Mr. Hill appended to his declaration a copy of the Carteret County tax map, on which his property is depicted. Mr. Hill further states that he has not given permission to anyone to place a radio transmission tower on the property, and no one has even talked to him about placing a tower on the property.

15. Exhibit 3 hereto is a declaration under penalty of perjury, executed by Mr. Amos W. Phillips, a North Carolina realtor, dated January 10, 1997. Mr. Phillips states that he is familiar with Mr. Hill's property, which is located on Highway 70, with highway frontage of 346 feet, going back only approximately 500 feet. In Mr. Phillips' expert opinion, the Hill property would not be suitable for a radio tower.

16. Mr. Phillips further states that on January 2, 1997, he spoke with Penny Smith, the realtor identified in OB's site certification, and she told him she had been looking for property for OB and had not been successful, although certain property in Carteret County owned by a Mr. Clyde Davis was

under consideration^{3/}. Mr. Phillips reports that just a week later, on January 9, 1997, he again spoke with Ms. Smith, and she told him that a Mr. Cotton had closed on the property owned by Mr. Davis in Carteret County on January 3, 1997, and that she did not know whether Mr. Cotton was connected with OB^{6/7/}.

17. The attached declarations raise serious questions as to whether OB misrepresented to the Commission that it had reasonable assurance of the availability of the transmitter site specified in the WAHL one-step application. Mr. Hill, the owner of the site, has unequivocally stated that he has not given OB permission to locate its radio facility on his property. Ms. Smith, the site contact specified in OB's application, stated that she was not successful in locating a site for OB's facility. Recently, even the site that was shown to OB by Ms. Smith was been sold to a third party. OB's unsupported claim of reasonable assurance of site availability, and OB's apparent willingness to assert that claim before the Commission without basis, may warrant designation of OB's

^{3/}The Clyde Davis property is not the Rio Hill property specified in OB's upgrade application. Compare Exhibit 2 (Carteret County tax map depicting Rio Hill property) and Exhibit 4 (survey identifying the Clyde Davis property).

^{6/}A copy of the deed transferring the Carteret County property from Mr. Davis to Mr. Cotton is attached hereto as Exhibit 5.

^{7/}According to information in the Commission's files, no principal of OB is named "Cotton."

permit for hearing to determine whether it was fraudulently obtained.

18. As a final matter, it should be noted that by the terms stated on the face of the WAHL upgrade permit, the permit is scheduled to expire on February 12, 1997 -- less than 30 days from this filing. As of the date of this filing, neither a Form 302 application to cover completion of construction nor a Form 307 application for extension of time to construct has been listed on FCC Public Notice as filed. Of course, if OB did not have reasonable assurance of the availability of its antenna site at the time of filing the underlying one-step application, an extension of the permit to change site would not be warranted. See Magdelene Gunden Partnership, supra. Thus, absent completion of construction of the WAHL upgrade as authorized, and the filing of an appropriate application for covering license prior to February 12, 1997, the upgrade permit will expire by its own terms.

III. A Population Difference Of 370 Is Not A Meaningful Basis To Distinguish Between Allotment Proposals.

19. As noted above, the Bureau allotted Channel 283A to Aurora rather than Channel 284C2 to Trenton, based on Aurora's greater population of 654 persons as compared to Trenton's population of 284 persons in the 1990 U.S. Census. CMC respectfully submits that the population difference of 370

persons is not a meaningful basis to distinguish between the allotment proposals for Trenton and Aurora.

20. A paramount goal of the Commission is to further the most efficient use of spectrum. In the instant case, the Trenton proposal would make the most efficient use of the spectrum, by maximizing service to the largest population and the largest geographic area. The record in this case reflects that the reallocation of Channel 284A, Rose Hill, to Channel 284C2, Trenton, will increase the population served within WBSY's 60 dBu contour nearly tenfold, from 36,354 to 347,989 persons. The area encompassed within WBSY's 60 dBu contour would be increased to 8,559 kilometers. On the other hand, the Aurora proposal is calculated to serve only 31,086 persons, in an area of just 2,134 square kilometers. Thus, the proposed Trenton allotment would serve more than eleven times the number of persons as the Aurora allotment, and more than four times the geographic area than the Aurora allotment. Based on this far more efficient use of spectrum, the Trenton allotment should have been preferred.

21. The record further reflects that Trenton is the seat of Jones County, North Carolina, which has no locally licensed aural facilities anywhere in the county. On the other hand, Aurora, is located in Washington County, which already has broadcast stations licensed to communities in the county, and is not the county seat. Under these circumstances, CMC

respectfully submits that, in the event an alternative allotment is not made to Aurora, the Trenton allotment should be preferred on a comparative basis.

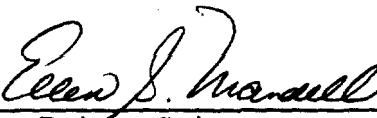
IV. Conclusion

Based on the foregoing, the Bureau is requested to reconsider the proposal to allot Channel 221A in lieu of Channel 283A at Aurora, North Carolina, so that a first local service also may be allotted to Trenton, North Carolina, on Channel 284C2. Absent the allotment of an alternative channel to Aurora, the Trenton allotment should be preferred on a comparative basis, based on the most efficient use of the spectrum.

WHEREFORE, the premises considered, the Bureau is respectfully requested to grant this petition for reconsideration.

Respectfully submitted,

CONNER MEDIA CORPORATION

By 
Peter Gutmann
Ellen S. Mandell
Its Attorneys

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January 17, 1997

CONNER MEDIA CORPORATION
TRENTON, NORTH CAROLINA

ENGINEERING STATEMENT

January 1997

William Culpepper & Associates
900 Jefferson Drive
Charlotte, NC 28270

CONNER MEDIA CORPORATION

TRENTON, NORTH CAROLINA

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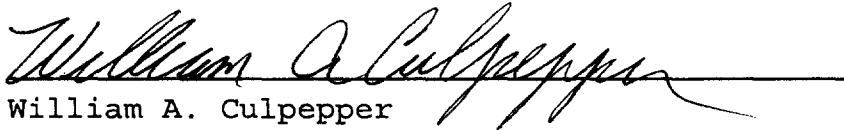
CONNER MEDIA CORPORATION

TRENTON, NORTH CAROLINA

DECLARATION

I declare, under penalty of perjury, that I have prepared the attached Engineering Exhibit for Duplin County Broadcasters, and that all of the facts therein, except for facts of which the Federal Communications Commission may take official notice, are true to the best of my knowledge and belief; and that I am a Registered Professional Engineer in the State of North Carolina.

Executed on January 9, 1997.

A handwritten signature in cursive script, reading "William A. Culpepper", is written over a horizontal line.

William A. Culpepper

900 Jefferson Drive
Charlotte, NC 28270
704-365-9995

CONNER MEDIA CORPORATION

TRENTON, NORTH CAROLINA

NARRATIVE

This exhibit supports the attached Pleading of Connor Media Corporation (Conner). The purpose is to show the following:

1. The identity of the owner of the land on which Ocracoke Broadcasters (OB) is authorized to construct its facility for WAHL on channel 224C1.
2. That the class C1 facility authorized to WAHL on channel 224C1 does not provide city-grade coverage to Ocracoke.
3. That the allotment site for channel 224C1 at Ocracoke, North Carolina does not meet the requirement that a reference Class C1 station provide city-grade coverage to 100 per cent of the principal community.
4. That if American Family Association (AFA) modifies the channel of WAAE at New Bern from channel 220 to 211 (as agreed to by AFA), and if channel 224C1 at Ocracoke is changed to 225A or 224C3, that channel 221A can be allotted to Aurora, North Carolina with a site restriction of only 12 kilometers, in accordance with the Commission's spacing and coverage requirements.

OCRACOKE

Figure 1 is a portion of the USGS 1:24,000 scale topographic map of Davis North Carolina. The Ocracoke reference point and the authorized WAHL transmitter site are shown on this figure. The authorized site is at a point approximately 400 feet west of US 70 from a point approximately 100 feet north of the point that US 70 crosses Lewis creek. Referring to the Carteret County Tax

CONNER MEDIA CORPORATION

TRENTON, NORTH CAROLINA

NARRATIVE...(continued)

Map on Figure 2, it is clear that the site is on Parcel 7230, which is owned by Mr. Reo Hill.

The OB application for a one-step upgrade of WAHL from channel 225A to 224C1 (BMPH-950728IC) did not meet city-grade requirements for allotment or for application for construction permit.

The coverage map, Figure E-7, in the OB application for One-Step upgrade of WAHL, shows that the 70 dBu contour purportedly encompasses 100 per cent of Ocracoke. However, OB has used the Longley-Rice method for calculation of this contour as opposed to the F(50,50) method. OB cites the Bayshore, New York case as the justification for using an alternate method of calculating signal strength. As shown elsewhere in this pleading, reliance on Bayshore was inappropriate, and the F(50,50) curves should have been used.

Figure 3 in this exhibit correctly shows the 70 dBu contour using the F(50,50) curves for a facility with 100 kilowatts and an antenna radiation center 214 meters above sea level, as applied for by OB. The contour falls approximately 3 kilometers short of reaching the near boundary of Ocracoke. This is clearly a violation of §73.315(a).

Figure 4 is a portion of the USGS 1:24,000 scale topographic map of Ocracoke, North Carolina. The eastern boundary of the Community of Ocracoke is defined by the boundary of the Cape